

IN THE CLAIMS

Please amend the claims as follows:

Claims 1-3 (Canceled).

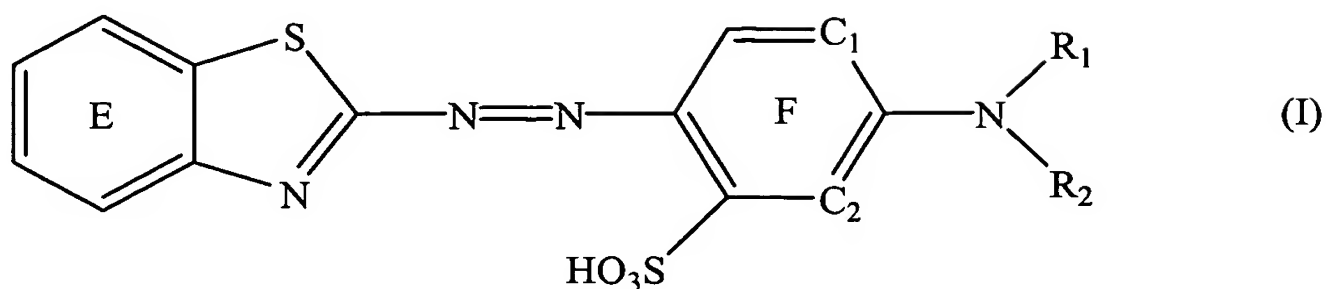
Claim 4 (Previously Submitted): The optical recording medium as claimed in claim 1, which comprises a plurality of said chelate dyes.

Claim 5 (Previously Submitted): The optical recording medium as claimed in claim 1, wherein said chelate dye accounts for 5 mol% or more of the total amount of the dyes contained in the recording layer.

Claim 6 (Original): The optical recording medium as claimed in claim 5, wherein said chelate dye accounts for 5 to 9 mol% of the total amount of the dyes contained in the recording layer.

Claim 7 (Canceled).

Claim 8 (Currently Amended): An optical recording medium comprising a substrate and a laser-writable and/or readable recording layer provided thereon, wherein said recording layer contains a chelate dye comprising two or more azo compounds having different structures and a divalent or more metal ion, wherein said azo compounds are selected from compounds represented by the following formula (I):



wherein ring E may have substituent(s), C<sub>1</sub> and C<sub>2</sub> each represents a carbon atom, and R<sub>1</sub> and R<sub>2</sub> each independently represent a hydrogen atom, an alkyl group, an aryl group, an alkenyl group, a cyclic alkenyl group or a cyclic alkyl group, or R<sub>1</sub> and R<sub>2</sub> may be bonded to each other to form a ring, and wherein the following conditions (1), (2) or (3) may apply:

- (1) R<sub>1</sub> and C<sub>1</sub> are bonded to each other to form a saturated ring condensed with ring F,
- (2) R<sub>2</sub> and C<sub>2</sub> are bonded to each other to form a saturated ring condensed with ring F,
- (3) both R<sub>1</sub> and R<sub>2</sub>, with both C<sub>1</sub> and C<sub>2</sub>, respectively, form a saturated ring condensed with ring F,

with the proviso that in at least one of said two or more azo compounds, (1), (2), or (3) applies, and

wherein the chelate dye has a degree of ligand exchange of at least that obtained by mixing a chelate dye obtained by reacting one of said two or more azo compounds with said divalent or more metal ion, with another chelate dye obtained by reacting a different one of said two or more azo compounds with said divalent or more metal ion, in a solvent, thereby forming a solution, and then allowing the solution to stand at room temperature for six hours or more, thereby performing exchange of ligands.

DISCUSSION OF THE AMENDMENT

Claim 8 has been amended as suggested by the Examiner and is believed to be supported, at least inherently, throughout the specification. Specifically, Claim 8 has been amended by reciting the chelate dye as, in effect, all chelate dyes derivable from compounds of formula (I) and a divalent or more metal ion that are obtainable by the recited process in Claim 7. In other words, Claim 8 requires a minimum degree of ligand exchange that is obtained by the process recited in Claim 7, but Claim 8 is not a product-by-process claim and includes all such dyes of at least this minimum degree of ligand exchange without limitation as to the process for making them. Claim 7 has been canceled.

No new matter has been added by the above amendment. With entry thereof, Claims 4-6 and 8 will be pending in the application.